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October 11, 2019

BY ECF

The Honorable Stewart D. Aaron
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Courtroom 11C
New York, NY 10007
(212) 805-0274

**Re: *S.E.C. v. LaGuardia*, 19 Civ. 05895 (ALC) (SDA)
Letter-Motion for Adjournment of Rule 16 Conference (unopposed)**

Dear Judge Aaron:

We represent defendant Donald S. LaGuardia (“Defendant”) in the above-referenced action. We write pursuant to paragraph I.D of Your Honor’s Individual Practices to request a brief adjournment of the October 29, 2019 Initial Pretrial Conference (the “Rule 16 Conference”) to the week of November 11, 2019. Counsel for plaintiff Securities and Exchange Commission (“Plaintiff”) does not object to this request.

By Order dated October 3, 2019, the Court scheduled the Rule 16 Conference for October 29, 2019. Counsel for the Defendant have scheduling conflicts on that date, including a scheduled deposition in another matter, *McMinn v. Lundgren*, C.A. No. 1777CV00627 (Mass. Super., Essex Co.). The deposition would be difficult to reschedule as several parties and their counsel, including a third-party witness, have planned to attend on October 29th.

Consequently, Defendant respectfully requests that the Court adjourn the Rule 16 Conference to a day during the week of November 11, 2019. Counsel for Plaintiff and Defendant are available on the following dates, at the Court’s convenience: November 12th, November 13th, and November 14th. No prior requests for adjournment or extension have been made. The requested adjournment does not affect any other deadlines, as a scheduling order has not yet entered in this case.

For the above reasons, Defendant respectfully requests that the Court adjourn the Rule 16 Conference to one of the above-proposed dates. Counsel for Plaintiff does not object to the relief requested herein.

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Thank you very much for your consideration.

Respectfully submitted,

/s/ Mark B. Rosen
Mark B. Rosen

cc: Counsel for the Plaintiff (by ECF)
John A. Sten, *pro hac vice* (by ECF)
Jason C. Moreau, *pro hac vice* (by ECF)